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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,399	03/01/2002	Sang-yong Kim	023833-125	6942
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BURNS DOANE SWECKER & MATHIS L L P			WINTER, JOHN M	
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3621

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

 Office Action Summary	Application No. 10/070,399	Applicant(s) KIM, SANG-YONG	
	Examiner John M Winter	Art Unit 3621	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11, 12, 15-18, 20 and 21 is/are rejected.
- 7) ☒ Claim(s) 6-10, 13, 14, 19, 22 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

STATUS

Claims 1-23 have been examined.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 5, 11,12, 15-18, 20 and 21 are rejected under 35 U.S.C. 103(a) as being being unpatentable over Serbis et al. (US Patent 6,314,425) in view of Hartrick et al. (US Patent 5,532,920).

As per claim 1,

Serbis et al ('425) discloses a portable terminal for downloading various data from a server through the internet, which is suitable for an electronic publication system, wherein the server is an electronic publication operating server for storing electronic publications which are obtained by making and editing various publications including at least one or more among novels, fairy tales, magazines, newspapers, educational books like textbooks and poetry books, and information including at least one or more among movies, music data, games, maps and animation films, into digital data, and for providing the electronic publications to buyers through the internet, the portable terminal comprising:

a displaying means for displaying any one or more among characters, pictures, photos, graphic data, and image data;(Column 5, lines 63-67, column 6, lines 1-7)

a storing means, which is recordable and erasable for storing various data required for restoring data which the portable terminal downloaded from the electronic publication operating server through the internet,(Column 6, lines 23-37)

a personal computer (PC) connecting means for copying the contents stored in the PC to the storing means or copying the contents stored in the storing means to the PC when the PC connecting means is connected to the PC (Column 5, lines 32-47)

a display processing means for displaying electronic publications or multimedia data, encrypted in the encrypting processing means, on the displaying means,(Figure 1A)

a power means for providing power to the portable terminal', and a central control processing means for controlling and operating entire functions of the portable terminal.(Figures 1B and 2)

Serbis et al ('425) does not specifically disclose

an encryption processing means for processing encrypted electronic publications so that the contents of the electronic publications can be shown through the corresponding portable

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terminal. Hartrick et al. ('920) discloses an encryption processing means for processing encrypted electronic publications so that the contents of the electronic publications can be shown through the corresponding portable terminal (figure 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Serbinis et al ('425) method with the Hartrick et al. ('920) method in order to prevent fraud by protecting content from illicit copying .

As per claim 2,

Serbinis et al ('425) discloses the portable terminal of claim wherein the electronic publications are downloaded from the electronic publication operating server when a PC which can access the internet is connected through the PC connecting means.(Figures 1A and 1B)

As per claim 3,

Serbinis et al ('425) discloses the portable terminal of claim 2, wherein in the central control processing means, a means for selecting an internet connection function is displayed on the displaying means; when the means for selecting the internet connection function is selected, a web browser for using the Internet is displayed on the displaying means,' and an Internet electronic commerce means makes the contents of multimedia data and electronic publications in the electronic publication operating server directly to the storing means.(Column 5, lines 53-67; column 6, lines 1-17)

As per claim 4,

Serbinis et al ('425) discloses the portable terminal of claim 1, wherein 15 the storing means comprising. an internal storing means, which is recordable and erasable, and maintains the stored contents even when power is off, for storing data; and a detachable auxiliary storing means which is recordable and erasable, and maintains the stored contents even when power is off,(Column 6, lines 27-32) wherein the stored contents in the internal storing means can be moved and stored to the detachable auxiliary storing means and the stored contents in the detachable auxiliary storing means can be moved to the internal storing means.(Column 6, lines 27-37)

As per claim 5,

Serbinis et al ('425) discloses the portable terminal of claim 4, wherein the auxiliary storing means includes at least any on among smart media cards, PCMCIA memory cards, multimedia memory cards, and hard disc storage means.(Column 6, lines 27-37)

As per claim 11,

Serbinis et al ('425) discloses the portable terminal of claim 1

Official Notice is taken that "the power means provides power to the portable terminal in a detachable manner, and includes a charging battery means which can be recharged" is common and well known in prior art in reference to portable devices. It would have been obvious to one having ordinary skill in the art at the time the invention was made that a portable device would

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have a rechargeable battery so that it could be reused. The Examiner notes that this feature common to all cellular phones and PDA's.

As per claim 12,

Serbinis et al ('425) discloses the portable terminal of claim 11

Official Notice is taken that "a power connecting means for connecting external power source, and power control means for controlling power source, wherein when the power control means is connected to the external power source through the power connecting means, the charging battery means is automatically charged, and at the same time the external power source provides power for the portable terminal, and when the power connecting means is detached from the external power source, the charging battery means automatically provides power" is common and well known in prior art in reference to portable devices. It would have been obvious to one having ordinary skill in the art at the time the invention was made that a portable device would have a rechargeable battery so that it could be reused and charged from an external source. The Examiner notes that this feature common to all cellular phones and PDA's.

As per claim 15,

Serbinis et al ('425) discloses the portable terminal of claim 1, further comprising:
an external data input processing means for inputting characters and pictures on the displaying means with an electronic pen or other input devices.(Column 5, lines 32-51)

As per claim 16,

Serbinis et al ('425) discloses the portable terminal of claim 1, further comprising:
an image processing means having an image input means for inputting an image and an image control unit for making the input image a digital code and displayed on the displaying means, wherein the central control processing means makes the image processing means input an image and stores predetermined image data, which is wanted to be stored, to the internal or auxiliary storing means, watching the predetermined image data through the displaying means, and when the stored image file is selected, the image file is displayed on the displaying means.(Figure 1B)

As per claim 17,

Serbinis et al ('425) discloses the portable terminal of claim 1, further comprising any one of:

a personal wireless communications device connection processing means for connecting a portable personal wireless communications device, and a wireless communications means installed in the portable terminal.(Column 5, lines 32-51)

As per claim 18,

Serbinis et al ('425) discloses the portable terminal of claim 17,
wherein the central control processing means includes an E-mail function.(Column 10, lines 62-64)

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As per claim 20,
Serbinis et al ('425) discloses the portable terminal of claim 1,
wherein when the central control processing means displays encrypted or not-encrypted electronic publications, the electronic publications are displayed on the displaying means without a decoding process when determined that the electronic publications are not encrypted', and the decoded electronic publications are displayed on the displaying means when it is determined that the electronic publications are encrypted.(Figure 4)

As per claim 21,
Serbinis et al ('425) discloses the portable terminal of any one of claims 1-20, further comprising.

a dedicated line connection means which is connected to the electronic publication operating server through a dedicated line in an online mode; a displaying means for displaying user's orders and information, a display control means for displaying various information on the displaying means, a payment processing means for settling payments, an auxiliary storage medium processing means for providing electronic publications, which a user wants to buy, on an auxiliary storage medium on which the content of electronic publications can be recorded or erased and which maintains power even when power is off, and a control processing means for taking charge of controlling above means and processing information together with the electronic publication operating server, wherein an electronic publication online selling device, with which electronic publications can be accessed, for selling electronic publications a user wants to buy, by down loading the electronic publications to the auxiliary storage medium, when a user pays through the payment processing means, is connected to the electronic publication operating server.(Figures 1A, 1B and 2)

Allowable Subject Matter

Claims 6-10, 13, 14, 19, 22 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Winter whose telephone number is (703) 305-3971. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

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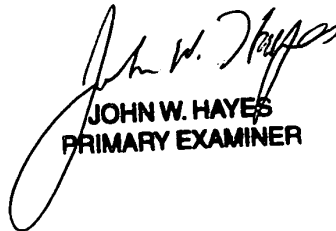
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703)305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

March 20, 2005

JMW


JOHN W. HAYES
PRIMARY EXAMINER